

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Gregory S. Thoen	)	
			)	
Serial No.	:	10/804,330	)	
			)	Examiner:
Cnfrm. No.	:	7019	)	Ho T. Shiu
			)	
Filed	:	March 19, 2004	)	Art Unit:
			)	2457
For	:	SYSTEM AND METHOD FOR	)	
		SEAMLESSLY PROVIDING VIDEO	)	
		CONTENT TO CLIENT SYSTEMS	)	
		OVER A NETWORK	)	

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**REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.26**

**Mail Stop 16**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Request for Refund of Fees Paid, pursuant to 37 C.F.R. § 1.26, is being made because the fee (\$555) for filing Petition for a Three-Month Extension of Time on September 16, 2010 was inadvertently paid, rather than the fee (\$245) that was due for the Petition for Two-Month Extension of Time. In particular, in response to the final office action mailed April 21, 2010, an Amendment, Request for Continued Examination, and Petition for a Three-Month Extension of Time were filed on September 16, 2010. However, only a Petition for Two-Month Extension of Time was due. Thus, Applicants made an overpayment of three hundred and ten dollars (\$310).

Enclosed as Exhibit A is a copy of the deposit account statement for September 2010, showing the charge of \$555.00 for Attorney Docket Number 32643/101—see page 3 of 5, dated September 16, 2010, SEQ. 15602.

Applicants respectfully request a refund in the amount \$310.00 to be credited to the undersigned attorney's deposit account 14-1138.

Respectfully submitted,

Date: December 10, 2010

/Megan L. Thisse/  
Megan L. Thisse  
Registration No. 65,668

NIXON PEABODY LLP  
1100 Clinton Square  
Rochester, New York 14604-1792  
Telephone: (585) 263-1507  
Facsimile: (585) 263-1600

## **Exhibit A**



**United States  
Patent and  
Trademark Office**



**Deposit Account Statement**

<b>Requested Statement Month:</b>	September 2010
<b>Deposit Account Number:</b>	141138
<b>Name:</b>	NIXON PEABODY LLP
<b>Attention:</b>	MICHAEL L. GOLDMAN
<b>Street Address 1:</b>	CLINTON SQUARE
<b>Street Address 2:</b>	P O BOX 31051
<b>City:</b>	ROCHESTER
<b>State:</b>	NY
<b>Zip:</b>	14603-1051
<b>Country:</b>	UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/01	5959	E-REPLENISHMENT		9203	-\$30,000.00	\$46,467.00
09/01	6622	61378692	57953/1910	2005	\$110.00	\$46,357.00
09/01	8605	61371880	812495-1730	8021	\$40.00	\$46,317.00
09/01	9604	12872957	812495-1190 (10.3260U1)	1111	\$540.00	\$45,777.00
09/01	9605	12872957	812495-1190 (10.3260U1)	1311	\$220.00	\$45,557.00
09/01	9603	12872957	812495-1190 (10.3260U1)	1011	\$330.00	\$45,227.00
09/01	9833	12872957	812495-1190 (10.3260U1)	8021	\$40.00	\$45,187.00
09/01	6	12860541	42446/101	2201	-\$220.00	\$45,407.00
09/01	5	12860541	42446/101	2202	-\$416.00	\$45,823.00
09/01	17677	11522724	99425/160	2801	\$405.00	\$45,418.00
09/01	17675	11522724	99425/160	2202	\$78.00	\$45,340.00
09/01	17676	11522724	99425/160	2253	\$555.00	\$44,785.00
09/02	18090	11337190	812495-010131 (3193/111)	1253	\$1,110.00	\$43,675.00
09/02	20426	12174262	812495/501 (10.470C1)	1253	\$1,110.00	\$42,565.00
09/02	20757	12240935	812495-000411 (10.134)	1251	\$130.00	\$42,435.00
09/02	22031	61364104	82162-390	8021	\$40.00	\$42,395.00
09/02	22821	12828448	82612/400 (ISURF 03806)	2051	\$65.00	\$42,330.00
09/02	22994	12828448	82162-400	8021	\$40.00	\$42,290.00
09/02	23596	12053225	35856/151	2253	\$555.00	\$41,735.00
09/02	23597	12053225	35856/151	2801	\$405.00	\$41,330.00
09/02	30930	12874255	19603/3339	1311	\$220.00	\$41,110.00
09/02	30929	12874255	19603/3339	1111	\$540.00	\$40,570.00
09/02	30928	12874255	19603/3339	1011	\$330.00	\$40,240.00
09/02	32324	12828885	57614/1001	2051	\$65.00	\$40,175.00
09/07	7086	11846894	176/61204 (1037)	2253	\$555.00	\$39,620.00
09/07	7087	11846894	176/61204 (1037)	2401	\$270.00	\$39,350.00
09/07	7277	11576797	2253/230	2253	\$555.00	\$38,795.00
09/07	7278	11576797	2253/230	2801	\$405.00	\$38,390.00
09/08	1715	61355238	18652-110	8021	\$40.00	\$38,350.00
09/08	2249	12276067	201835/1257 (BN- 4126USD)	1806	\$180.00	\$38,170.00

09/08 3836 12828855	2809-2042	8021	\$40.00	\$38,130.00
09/08 3908 11835038	19603/5390	2253	\$555.00	\$37,575.00
09/08 5281 12725230	19603/3359	1806	\$180.00	\$37,395.00
09/08 8570 12785097	19603/3915	2251	\$65.00	\$37,330.00
09/08 13323 10584871	176/61732	1504	\$300.00	\$37,030.00
09/08 13322 10584871	176/61732	2501	\$755.00	\$36,275.00
09/08 15088 12865579	176/62483	8021	\$40.00	\$36,235.00
09/08 15618 10756189	812495/010001 (10.0900)	1801	\$810.00	\$35,425.00
09/09 2407 12526696	176/62202	8021	\$40.00	\$35,385.00
09/09 4228 11572787	2308/640	1806	\$180.00	\$35,205.00
09/09 6911 12877738	54999/91	2311	\$110.00	\$35,095.00
09/09 6910 12877738	54999/91	2111	\$270.00	\$34,825.00
09/09 6909 12877738	54999/91	4011	\$82.00	\$34,743.00
09/09 6912 12877738	54999/91	2202	\$910.00	\$33,833.00
09/09 7152 12877755	54999/110	2111	\$270.00	\$33,563.00
09/09 7153 12877755	54999/110	2311	\$110.00	\$33,453.00
09/09 7151 12877755	54999/110	4011	\$82.00	\$33,371.00
09/09 7277 61380965		2005	\$110.00	\$33,261.00
09/10 4156 11697370	2809/1424	1814	\$140.00	\$33,121.00
09/10 5233 12921704	19603-5943	2641	\$50.00	\$33,071.00
09/10 5237 12921704	19603-5943	2617	\$65.00	\$33,006.00
09/10 5236 12921704	19603-5943	2614	\$220.00	\$32,786.00
09/10 5235 12921704	19603-5943	2615	\$234.00	\$32,552.00
09/10 5234 12921704	19603-5943	2633	\$110.00	\$32,442.00
09/10 5232 12921704	19603-5943	2631	\$165.00	\$32,277.00
09/10 7202 12878773	15275/10390	1314	\$650.00	\$31,627.00
09/10 7203 12878773	15275/10390	1205	\$936.00	\$30,691.00
09/10 7204 12878773	15275/10390	1204	\$660.00	\$30,031.00
09/10 7201 12878773	15275/10390	1114	\$540.00	\$29,491.00
09/10 7200 12878773	15275/10390	1014	\$330.00	\$29,161.00
09/10 7491 PCT/US10/48282	44447-111	1703	\$52.00	\$29,109.00
09/10 7490 PCT/US10/48282	44447-111	1701	\$1,061.00	\$28,048.00
09/10 7488 PCT/US10/48282	44447-111	1601	\$240.00	\$27,808.00
09/10 7489 PCT/US10/48282	44447-111	1602	\$2,080.00	\$25,728.00
09/10 10751 11953249	34186/1041 (7455P.1US)	1806	\$180.00	\$25,548.00
09/10 10750 11953249	34186/1041 (7455P.1US)	2253	\$555.00	\$24,993.00
09/10 13067 12725180	19603/4675	1806	\$180.00	\$24,813.00
09/10 13741 61381461	19603/6340	2005	\$110.00	\$24,703.00
09/13 7007 12124494	034186-001141-US	2253	\$555.00	\$24,148.00
09/13 8518 61381818	19603/6350	2005	\$110.00	\$24,038.00
09/13 9384 12922132	20747-460	1642	\$430.00	\$23,608.00
09/13 9383 12922132	20747-460	1631	\$330.00	\$23,278.00
09/13 9385 12922132	20747-460	1633	\$220.00	\$23,058.00
09/13 9388 12922132	20747-460	1617	\$130.00	\$22,928.00
09/13 9386 12922132	20747-460	1615	\$2,444.00	\$20,484.00
09/13 9387 12922132	20747-460	1614	\$660.00	\$19,824.00
09/13 105 11574475	44599/1040	1806	\$180.00	\$19,644.00
09/13 15449 12124494	034186-001141-US	1806	\$180.00	\$19,464.00
09/14 4850 12880659	812495/233 (10.072D2)	1011	\$330.00	\$19,134.00
09/14 4852 12880659	812495/233 (10.072D2)	1311	\$220.00	\$18,914.00
09/14 4851 12880659	812495/233 (10.072D2)	1111	\$540.00	\$18,374.00
09/14 15041 11860642	3238.005	2253	\$555.00	\$17,819.00

09/15 5510 12746106	2354-590 (FF45308/10)	2251	\$65.00	\$17,754.00
09/15 5738 12746106	2654-590	8021	\$40.00	\$17,714.00
09/15 8410 11207440	2308/690	1252	\$490.00	\$17,224.00
09/15 8411 11207440	2308/690	1801	\$810.00	\$16,414.00
09/15 9231 12882085	812495/1290 (10.3460U1)	1011	\$330.00	\$16,084.00
09/15 9232 12882085	812495/1290 (10.3460U1)	1111	\$540.00	\$15,544.00
09/15 9233 12882085	812495/1290 (10.3460U1)	1311	\$220.00	\$15,324.00
09/15 10626 61382919	176-63080 (6-1891)	2005	\$110.00	\$15,214.00
09/15 6 61403296	1819/101290	2005	\$110.00	\$15,104.00
09/15 14001 61382973	812495/1170 (10.3150P1)	1005	\$220.00	\$14,884.00
09/15 128 12807766	44447/160	2011	\$165.00	\$14,719.00
09/15 129 12807766	44447/160	2111	\$270.00	\$14,449.00
09/15 130 12807766	44447/160	2311	\$110.00	\$14,339.00
09/15 131 12807766	44447/160	2202	\$260.00	\$14,079.00
09/16 294 12882085	812495-1290	8021	\$40.00	\$14,039.00
09/16 3944 11812696	812495-000232 (10.072D1)	1501	\$1,510.00	\$12,529.00
09/16 6088 12882836	812495/1330 (10.3620U1)	1011	\$330.00	\$12,199.00
09/16 6092 12882836	812495/1330 (10.3620U1)	1201	\$660.00	\$11,539.00
09/16 6091 12882836	812495/1330 (10.3620U1)	1202	\$676.00	\$10,863.00
09/16 6090 12882836	812495/1330 (10.3620U1)	1311	\$220.00	\$10,643.00
09/16 6089 12882836	812495/1330 (10.3620U1)	1111	\$540.00	\$10,103.00
09/16 6555 61383188	812495/1350 (10.3720P1)	1005	\$220.00	\$9,883.00
09/16 7545 11416528	99425/140	2202	\$78.00	\$9,805.00
09/16 7546 11416528	99425/140	2253	\$555.00	\$9,250.00
09/16 7547 11416528	99425/140	2801	\$405.00	\$8,845.00
09/16 10295 11406940	19226/2481	2814	\$70.00	\$8,775.00
09/16 13207 E-REPLENISHMENT		9203	-\$40,000.00	\$48,775.00
09/16 15602 10804330	32643/101	2253	\$555.00	\$48,220.00
09/16 15603 10804330	32643/101	2801	\$405.00	\$47,815.00
09/16 15764 12809491	176-62392	8021	\$40.00	\$47,775.00
09/17 1461 11687123	34186/1083 (7063P.1USDIV1	1504	\$300.00	\$47,475.00
09/17 1460 11687123	34186/1083 (7063P.1USDIV1	2501	\$755.00	\$46,720.00
09/17 4792 12090702	201487/1200	1615	\$416.00	\$46,304.00
09/17 7738 61383628	19603/6320 (CRF D-5149-01	2005	\$110.00	\$46,194.00
09/17 10443 10364029	19603/4081 (CRF D-2862A)	2255	\$1,175.00	\$45,019.00
09/17 10444 10364029	19603/4081 (CRF D-2862A)	2801	\$405.00	\$44,614.00
09/17 12311 11912080	2253/250	1806	\$180.00	\$44,434.00
09/17 12310 11912080	2253/250	2253	\$555.00	\$43,879.00
09/17 1 11697370	2809/1424	1202	\$52.00	\$43,827.00
09/17 14002 61383761	112108/100	2005	\$110.00	\$43,717.00
09/17 15278 11429763	27419/211 (6669PTUS/ER)	1251	\$130.00	\$43,587.00
09/17 15279 11429763	27419/211 (6669PTUS/ER)	1401	\$540.00	\$43,047.00
09/20 776 10921429	812495-000461 (10.67)	1253	\$1,110.00	\$41,937.00
09/20 1967 12884650	2809/2181	1081	\$540.00	\$41,397.00
09/20 1968 12884650	2809/2181	1202	\$4,888.00	\$36,509.00
09/20 1965 12884650	2809/2181	1111	\$540.00	\$35,969.00
09/20 1966 12884650	2809/2181	1311	\$220.00	\$35,749.00
09/20 1969 12884650	2809/2181	1201	\$2,860.00	\$32,889.00
09/20 1964 12884650	2809/2181	1011	\$330.00	\$32,559.00
09/20 4033 12242265	812495/480 (10.1300U1)	1253	\$1,110.00	\$31,449.00
09/20 7174 61384098	1819/101280 (09-16)	2005	\$110.00	\$31,339.00
09/20 7397 11398004	33654/1031	2255	\$1,175.00	\$30,164.00

09/20 7401 11398004	33654/1031	2801	\$405.00	\$29,759.00
09/20 2 11429763	27419/211 (6669PTUS/ER)	2202	\$78.00	\$29,681.00
09/21 2023 11049796	1819/100631	2255	\$1,175.00	\$28,506.00
09/21 2024 11049796	1819/100631	2402	\$270.00	\$28,236.00
09/21 10287 11719940	2354/510	2255	\$1,175.00	\$27,061.00
09/21 16253 12918739	57953/1602	8021	\$40.00	\$27,021.00
09/22 16824 12867018	19226-2602	8021	\$40.00	\$26,981.00
09/23 6951 12542424	201835/1117 (BN-4029RE)	1253	\$1,110.00	\$25,871.00
09/23 9538 12542424	201835/1117 (BN-4029RE)	1806	\$180.00	\$25,691.00
09/23 12536 61260252	28091-260	8007	\$20.00	\$25,671.00
09/23 26 61403296	1819/101290	8021	\$40.00	\$25,631.00
09/23 34 12807766	44447/160	8021	\$40.00	\$25,591.00
09/23 1 11687123	34186/1083 (7063P.1USDIV1	2501	-\$755.00	\$26,346.00
09/23 2 11687123	34186/1083 (7063P.1USDIV1	1501	\$1,510.00	\$24,836.00
09/24 2414 12035917	2308/661(2300/1344/P/US)	1201	\$660.00	\$24,176.00
09/24 2423 12035917	2308/661(2300/1344/P/US)	1814	\$140.00	\$24,036.00
09/24 2422 12035917	2308/661(2300/1344/P/US)	1806	\$180.00	\$23,856.00
09/24 2419 12035917	2308/661(2300/1344/P/US)	1801	\$810.00	\$23,046.00
09/24 2418 12035917	2308/661(2300/1344/P/US)	1251	\$130.00	\$22,916.00
09/24 3731 12036860	34116/1058	2401	\$270.00	\$22,646.00
09/24 3728 12036860	34116/1058	2253	\$555.00	\$22,091.00
09/24 5966 11917053	2308/551	1806	\$180.00	\$21,911.00
09/24 4 12882836	812495/1330 (10.3620U1)	1201	-\$660.00	\$22,571.00
09/24 14549 11752726	200813/151	1504	\$300.00	\$22,271.00
09/24 14548 11752726	200813/151	2501	\$755.00	\$21,516.00
09/27 5946 11570210	2308/620	1253	\$1,110.00	\$20,406.00
09/27 5947 11570210	2308/620	1801	\$810.00	\$19,596.00
09/27 6918 61386300	176/63120	2005	\$110.00	\$19,486.00
09/27 15835 11054919	19603/4481 (CRF D-3287-02	2501	\$755.00	\$18,731.00
09/27 15836 11054919	19603/4481 (CRF D-3287-02	1504	\$300.00	\$18,431.00
09/28 2722 61331197	28091-290	8021	\$40.00	\$18,391.00
09/28 3784 12278252	2308/611 (10/1127/P/US)	2251	\$65.00	\$18,326.00
09/28 4681 11876534	82162/241	2801	\$405.00	\$17,921.00
09/28 4680 11876534	82162/241	2253	\$555.00	\$17,366.00
09/28 5707 12934866	19603-5902	2615	\$1,222.00	\$16,144.00
09/28 5708 12934866	19603-5902	2614	\$220.00	\$15,924.00
09/28 5706 12934866	19603-5902	2681	\$135.00	\$15,789.00
09/28 5705 12934866	19603-5902	2633	\$110.00	\$15,679.00
09/28 5704 12934866	19603-5902	2641	\$50.00	\$15,629.00
09/28 5703 12934866	19603-5902	2631	\$165.00	\$15,464.00
09/28 5709 12934866	19603-5902	2617	\$65.00	\$15,399.00
09/28 9842 10540316	US 030001	1251	\$130.00	\$15,269.00
09/28 10209 11148335	2308/621	1801	\$810.00	\$14,459.00
09/28 10208 11148335	2308/621	1253	\$1,110.00	\$13,349.00
09/29 3817 11391883	32291/1250	2501	\$755.00	\$12,594.00
09/30 2 11677509	19603/5331 (CRF D-3771-02	2202	\$78.00	\$12,516.00
09/30 3078 11960086	31916/1011	2801	\$405.00	\$12,111.00
09/30 6907 12595178	201371-261	1252	\$490.00	\$11,621.00
09/30 7454 12816024	57953/1781	2251	\$65.00	\$11,556.00
09/30 7453 12816024	57953/1781	2051	\$65.00	\$11,491.00
09/30 7692 12816024	57953-1781	8021	\$40.00	\$11,451.00
09/30 8058 61387842	57953/1920	2005	\$110.00	\$11,341.00

8070	12840009	44799/280	2051	\$65.00	\$11,276.00
09/30	8256	12840009	44799-280	8021	\$40.00 \$11,236.00
09/30	8703	95001215	15275/10260	1402	\$540.00 \$10,696.00
09/30	12276	11574654	2354/470	1255	\$2,350.00 \$8,346.00
09/30	4	11542999	043773/000130	1599	\$405.00 \$7,941.00
09/30	13142	E-REPLENISHMENT	9203	-\$40,000.00	\$47,941.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$16,467.00	\$80,577.00	\$112,051.00	\$47,941.00

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